

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action No. 05CV10176 RGS.

DENISE McKEOWN, ROBERT LUTTS

Plaintiffs,

v.

ADVEST, INC., KAREN M. SUGHRUE, GARRY
L. CRAGO, JEAN W. CHILDS, PAULA
EDWARDS COCHRAN, G. STEVENS DAVIS, JR.,
JULIA B. DEMOSS, WILLIAM R. DILL, LESLIE
A. FERLAZZO, JOYCE SHAFFER FLEMING, ERIC
W. HAYDEN, CATHERINE CHAPIN KOBACKER,
ANNE MARCUS, CELESTE REID, RICHARD J.
SHEEHAN, JR., JOSEPH SHORT, GREGORY E.
THOMAS, SUSAN K. TURBEN, *and* DONALD
W. KISZKA

Defendants.

**PLAINTIFF'S UNOPPOSED
MOTION FOR RECONSIDERATION**

Plaintiffs in this case respectfully request the Court to reconsider the Order of March 30, 2005 allowing in part and limiting in part the Assented to Motion of Plaintiffs to Extend Time to Oppose Defendant Advest Inc.'s Motion to Dismiss Complaint.

Background

This is the sister case to *T. Rowe Price Tax-Free High Yield Fund et als vs. Karen M. Sughrue, et al.*, MA DC CA 04-11667 RGS (hereinafter the "T. Rowe Price case") the Complaint for which was filed in 2004. Plaintiffs filed their Complaint in this case (hereinafter the McKeown case) on January 28, 2005. Plaintiffs counsel in the T. Rowe Price case and the McKeown case have been working together in this litigation. Counsel for Advest was granted an extension of over three months to prepare and file a Motion to Dismiss in the T. Rowe Price case. Counsel for Advest, in return has allowed plaintiffs counsel in both the T. Rowe Price case

and the McKeown case extensions in which to file their Opposition to its Motions to Dismiss. An Assented to motion to extend time to oppose was filed in the McKeown case. It is counsel's understanding that a similar motion was filed in the T. Rowe Price case. On March 10, 2005 Plaintiffs counsel in the McKeown case filed a Motion to Consolidate the McKeown case and the T. Rowe Price case. It is plaintiffs counsel's understanding that the Motion to Consolidate has not been and will not be opposed. Moreover, it is expected that counsel for defendants other than Advest will file a motion to dismiss.

Discussion

Plaintiffs' counsel in the McKeown case has a busy schedule in April and had planned to take a vacation. Given the difficulties with plaintiffs counsel's schedule, the agreement of all parties in both cases to allow an extension of time to oppose, the fact that defendants other than Advest have yet to file an answer or motion to dismiss, and counsel's efforts to consolidate and synchronize both cases the plaintiff respectfully requests the Court to reconsider the Order and allow plaintiffs until May 16, 2005 to file an opposition to Advest's Motion to Dismiss. Plaintiff has been advised by counsel for Advest that they will not oppose this Motion.

DENISE McKEOWN, ROBERT LUTTS

By their attorney,



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